

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JERRAL W. JONES,

Plaintiff,

V.

ALEXANDRA DAVIS, CYNTHIA
DAVIS f/k/a CYNTHIA DAVIS-
SPENCER

Defendants,

CIVIL ACTION NO. 5:23-CV-00032-RWS

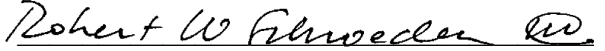
ORDER

Before the Court is Jerral W. Jones’s Unopposed Motion to Realign Parties (Docket No. 88). The Court held a hearing on this matter. Docket No. 105. Jones argues that the only remaining claims in the above-captioned action are his breach of contract claims against Alexandra Davis and Cynthia Davis f/k/a Davis-Spencer, for which he bears the burden of proof. Docket No. 88. “Alignment of the parties lies in the sound discretion of the court.” *Lloyd v. Pendleton Land & Expl., Inc.*, 22 F.3d 623, 625 (5th Cir. 1994). Jones persuasively argues that the Court has discretion to realign the parties when “subsequent events in the case significantly shift the ultimate burden of proof from the plaintiff to the defendant.” *Id.* (quoting *Tex. Cap. Bank, N.A. v. Dallas Roadster, Ltd.*, No. 4:13-cv-625, 2015 WL 138076, at *2 (E.D. Tex. May 29, 2015)). Having reviewed the motion, and because it is unopposed, it is

ORDERED that Jerral W. Jones's Unopposed Motion to Realign Parties (Docket No. 88) is **GRANTED**. The Clerk shall designate Jerral W. Jones as Plaintiff and Alexandra Davis and Cynthia Davis f/k/a Cynthia Davis-Spencer as Defendants.¹ It is further

ORDERED that the Jones's Amended Complaint (Docket No. 88-1) be filed on the docket as the operative complaint.

So ORDERED and SIGNED this 17th day of May, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE

¹ The Court acknowledges that there are no longer pending claims against the Dallas Cowboys Football Club, Ltd., James Wilkinson, Trailrunner International, LLC, and Donald Jack, Jr. *See* Docket No. 75. These parties are terminated for administrative purposes **only**. For purposes of Federal Rules of Civil Procedure 54 and 58, final judgment will be entered for these parties once the remaining claims in this action are resolved.